

HOUSE BILL 815

By Spivey

AN ACT to amend Tennessee Code Annotated, Section 49-16-213, relative to the closure of virtual schools based on performance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-16-213, is amended by deleting subsection (b) in its entirety and substituting instead:

(b)

(1) In addition to the intervention options available under § 49-1-602, if a public virtual school is identified as a priority school pursuant to § 49-1-602, then the commissioner shall have the authority to reinstitute the enrollment cap specified in § 49-16-211(b) or to direct the LEA to close the school. If the commissioner reinstitutes the enrollment cap pursuant to this subdivision (b)(1), then the cap shall not affect students enrolled in the virtual school at the time of the department's action.

(2) If a virtual school demonstrates student achievement growth at a level of "significantly below expectations" for any three (3) consecutive years of the school's operation, as represented by the Tennessee Value-Added Assessment System (TVAAS) developed pursuant to chapter 1, part 6, of this title and guidelines adopted by the state board of education pursuant to chapter 1, part 3, of this title, then the LEA shall close the school before the beginning of the next school year after the LEA's notification that student growth has been "significantly below expectations" for three (3) consecutive years of the school's operation.

(3) Notwithstanding § 49-3-351(d), if a public virtual school is closed upon direction of the commissioner or the LEA, then the basic education program (BEP) payments for the LEA that established the school shall be exclusive of any student who was enrolled in the school the prior year and did not remain enrolled in the LEA.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.